

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

VALENTYN VITALIYOVYCH KULYK,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES, *et al.*,

Defendants.

Civil Action No. 3:22-cv-00024-C

**DEFENDANTS' UNOPPOSED MOTION FOR AN
EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND**

In this case, Plaintiff Valentyn Vitaliyovych Kulyk seeks a writ of mandamus to compel U.S. Citizenship and Immigration Services (USCIS) to adjudicate a Form I-485, “Application to Register Permanent Residence or Adjust Status,” and a Form I-730, “Refugee/Asylee Relative Petition.” *See* Doc. 1 at 2. Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendants respectfully move the Court for a 60-day extension of time to answer or otherwise respond to the complaint, which would extend the response deadline from March 14, 2022 to May 13, 2022. The reason for this extension request is that, on February 1, 2022, USCIS issued a request for evidence to Plaintiff with respect to the Form I-485. A response to the request for evidence is due by April 29, 2022, which constitutes the maximum period allowed for responding to requests for evidence. *See* 8 C.F.R. § 103.2(b)(8)(iv) (“The request for evidence . . . will indicate the deadline for response, but in no case shall the maximum response period provided in a request for

evidence exceed twelve weeks . . .”).¹ Upon receipt of the response to the request for evidence, USCIS will resume processing the Form I-485, the adjudication of which is a prerequisite to the adjudication of the Form I-730. USCIS expects that, by May 13, 2022, it will have either completed adjudicating the applications, rendering the lawsuit moot, or at least be in a significantly better position to determine what additional steps may be necessary before completing adjudication. Plaintiff does not oppose this extension request. Therefore, Defendants respectfully move the Court for a 60-day extension of time to answer or otherwise respond to Plaintiff’s complaint, from March 14, 2022 to May 13, 2022.

Respectfully submitted,

CHAD E. MEACHAM
UNITED STATES ATTORNEY

/s/ Lisa R. Hasday
Lisa R. Hasday
Assistant United States Attorney
Texas Bar No. 24075989
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Telephone: 214-659-8737
Facsimile: 214-659-8807
lisa.hasday@usdoj.gov

Attorneys for Defendants

¹ Defendants note that, in response to the Covid-19 pandemic, USCIS has extended flexibilities for responding to agency requests and, before taking any action, the agency will consider a response to a request for evidence that is received within 60 calendar days after the response due date set in the request. *See* <https://www.uscis.gov/newsroom/alerts/uscis-extends-flexibility-for-responding-to-agency-requests-0>.

Certificate of Conference

I certify that, on March 1, 2022, I conferred with Plaintiff's counsel regarding this motion, and counsel stated that Plaintiff does not oppose the motion.

/s/ Lisa R. Hasday
Lisa R. Hasday
Assistant United States Attorney

Certificate of Service

On March 1, 2022, I electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Lisa R. Hasday
Lisa R. Hasday
Assistant United States Attorney